

EV 351 932 772 US: Express Mail Number

November 12, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

16834 U.S.PTO  
10/712560  
111203



**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Sean Adams,  
Audrey Goddard,  
Austin Gurney,  
Timothy A. Stewart,  
Elizabeth Tomlinson, and  
Xing Xian Yu**

Title: **FIBROBLAST GROWTH FACTOR-19 (FGF-19) NUCLEIC ACIDS AND POLYPEPTIDES  
AND METHODS OF USE FOR THE TREATMENT OF OBESITY AND RELATED  
DISORDERS**

**1. Type of Application**

This application is for an original, non-provisional application.

This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.

This is a continuation application claiming priority to U.S. application Serial Number 09/924,647, filed August 7, 2001, which is a continuation-in-part of U.S. application Serial Number 09/767,609, filed January 22, 2001, now abandoned, which is a continuation-in-part of U.S. application Serial Number 09/522,342, filed March 9, 2000, which is a continuation-in-part of U.S. application Serial Number 09/284,663, filed April 15, 1999, now abandoned, which is a continuation of U.S. application Serial Number 09/158,342, filed September 21, 1998, now abandoned, and to International Application Numbers PCT/US/98/25190, filed November 25, 1998, PCT/US99/20594, filed September 8, 1999, now abandoned, PCT/US99/21090, filed September 15, 1999, now abandoned, PCT/US99/30999, filed December 20, 1999, now abandoned, and PCT/US00/04414, filed February 22, 2000, now abandoned, which applications priority is claimed under 35 USC § 120, and to provisional application Serial Number 60/066,840, filed November 25, 1997, now abandoned, to which application priority is claimed under 35 USC § 119, the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)****(Non-provisional )**

92 pages of specification  
9 pages of claims  
1 page(s) of abstract  
20 sheet(s) of drawings  
[ ] formal [x] informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*

— An executed declaration of the inventor(s) [ ] is enclosed [ ] will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*

x A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*

— A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*

— An Assignment of the invention to GENENTECH, INC. [ ] is enclosed with attached Recordation Form Cover Sheet [ ] will follow.

*(for cont./div.)*

x The prior application is assigned of record to Genentech, Inc.

**5. Amendments *(for continuation and divisional applications)***

— Cancel in this application original claims    of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

— A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	95	- 20 =	75	X \$18.00	\$1,350.00
Independent Claims	29	- 3 =	26	X \$86.00	\$2,236.00
<u>  </u> Multiple dependent claim(s), if any				+ \$290.00	\$0.00
<b>Filing Fee Calculation</b>					<b>\$4,356.00</b>

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$4,356.00. A duplicate copy of this transmittal is enclosed.

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this transmittal is enclosed.

**9. Additional Papers Enclosed**

- Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- A new Power of Attorney or authorization of agent.
- Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- A petition, fee and/or response has been filed to extend the term in the pending prior application until November 14, 2003
- A copy of the petition for extension of time in the **prior** application is attached.

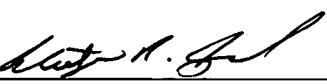
**11. Correspondence Address:**

X Address all future communications to:

Attn: Atulya R. Agarwal, Ph.D.  
Customer No: 09157

Respectfully submitted,  
GENENTECH, INC.

Date: November 12, 2003

By: 

Atulya R. Agarwal, Ph.D.  
Reg. No. 40,887  
Telephone No. (650) 225-4463

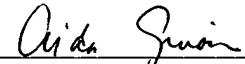
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**CUSTOMER NO: 09157**



Patent Docket P1219P3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Sean Adams et al.  Serial No.: 09/924,647  Filed: August 7, 2001  For: FIBROBLAST GROWTH FACTOR-19 (FGF-19) NUCLEIC ACIDS AND POLYPEPTIDES AND METHODS OF USE FOR THE TREATMENT OF OBESITY AND RELATED DISORDERS	Group Art Unit: 1647  Examiner: NOT KNOWN  Confirmation No: 7392  CUSTOMER NO: 09157  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  November 12, 2003  Aida Gulam
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**PETITION AND FEE FOR THREE MONTH EXTENSION OF TIME**  
**(37 CFR 1.136(a))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

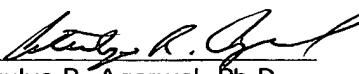
Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated May 14, 2003 for three (3) months from August 14, 2003 to November 14, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$950.00 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account.

A duplicate of this sheet is enclosed.

Respectfully submitted,  
GENENTECH, INC.

Date: November 12, 2003

By:   
Atulya R. Agarwal, Ph.D.  
Reg. No. 40,887  
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